

REMARKS/ARGUMENTS

The specification and the abstract have been amended to correct the informalities as indicated by the Examiner.

Claims 1, 2, 5-9 remain in this application. Claims 3 and 4 have been canceled.

Reconsideration of the application is respectfully requested for the following reasons:

1. Objection of claims 1 and 9

In each of the claims, the recitation "devoid of welded portion" has been changed to --devoid of welded portions--, as indicated by the Examiner.

2. Rejection of claims 2, 3 and 5-7 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

Claims 2 and 5-7 have been amended to correct the informalities as indicated by the Examiner. Claim 3 has been canceled.

3. Rejection of claims 1-6 and 9 under 35 U.S.C. 103(a) as being anticipated by Vismara [U.S. Patent No. 5,730,516]

This rejection is respectfully traversed on the grounds that Vismara fails to disclose or suggest the following positively recited features:

- a. in which a front edge portion of each of two side walls and a top wall of an outer case is bent inwardly so as to define a first, a second and a third front face portion, as defined in claims 1 and 9 (and supported by page 5, lines 9 to 16 of the specification and Fig. 1);

- b. in which an upper front reinforcing member is secured to the first and the second front face portion and the third front face portion, as defined in claims 1 and 9 (and supported by page 5, line 19 to page 6, line 1 of the specification and Fig. 1); and
- c. in which a lower front reinforcing member is secured to the first and the second front face portion, as defined in claims 1 and 9 (and supported by page 6, line 20 to page 7, line 25 of the specification).

Specifically, Vismara does not disclose the first, the second and the third front face portion 122, 132 and 102 formed by bending inwardly the front edge portions of the side walls and the top wall, respectively. Further, Vismara teaches merely a section bar 11 which is installed such that two outer sheets 6 adhering to the expanded polystyrene of the interspace 8 whereas a third element 13 is forced into a rectilinear groove 14 positioned along the apex of the dihedral corner of the container compartment 1 (see col. 2, lines 20 to 25), not the upper front reinforcing member 40 secured to the first and the second front face portion 122, 132 and the third front face portion 102 and the lower front reinforcing member 30 secured to the first and the second front face portion 122, 132 of the present invention,

4. Rejection of Claims 1-6 under 35 U.S.C. 102(b) as being anticipated by Taylor Jr. [U.S. Patent No. 4,706,363]

This rejection is respectfully traversed on the grounds that Taylor Jr. fails to disclose or suggest the following positively recited features:

- a. in which **a front edge portion of each of two side walls and a top wall** of an outer case is bent inwardly so as to define a first, a second and a **third front face portion**, as defined in claim 1;
- b. in which **an upper front reinforcing member is secured to the first and the second front face portion and the third front face portion**, as defined in claim 1; and

- c. in which a **lower front reinforcing member** is secured to the first and the second front face portion, as defined in claim 1.

Specifically, Taylor Jr. teaches not the upper front reinforcing member 40 secured to the third front face portion 102 of the top wall 100 of the present invention, but a structural mullion bar 16 that spans the distance between the sides of the refrigerator and is located in front of the partition 15 (see col. 2, lines 59-62). Further, Taylor Jr. merely discloses a reinforcing member 28 which is inserted into the elongated panel from the bottom and is captured between tangs 48 and 54 (see, col. 3, lines 46-66), not the lower front reinforcing member 30 secured to the first and the second front face portion 122 and 132 of the present invention.

5. **Rejection of claims 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over Taylor Jr., in view of Winsler et al. [U.S. Patent No. 3,697,723]**

This rejection is respectfully traversed on the grounds that Taylor and Winsler fail to disclose or suggest the following positively recited features:

- a. in which a **front edge portion** of each of two side walls and a **top wall** of an outer case is bent inwardly so as to define a first, a second and a **third front face portion**, as defined in claim 1;
- b. in which an **upper front reinforcing member** is secured to the first and the second front face portion and the **third front face portion**, as defined in claim 1; and
- c. in which a **lower front reinforcing member** is secured to the first and the second front face portion, as defined in claim 1.

As stated above in Section 4, Taylor does not disclose the features of the present invention. Further, Winsler teaches a refrigerator door of the type in which a glass panel is mounted in a metal supporting frame, but fails to disclose or suggest the features of the present invention.

It is respectfully submitted that Examiner's hindsight combination of Taylor and Winsler is believed entirely improper in the absence of any suggestion, teaching or motivation given in any of the prior art references to do so, and inasmuch as one skilled in the art would have no reason to make such combination.

Furthermore, even assuming, arguendo, that such combination were proper, such combination still cannot render the present invention obvious because neither Taylor nor Winsler discloses or even implies the present invention. Accordingly, even if every single disclosure contained in each of the references is selectively chosen and stacked together against the present invention, such combination cannot possibly suggest to an ordinary person skilled in the art the inventive features of the present invention.

Applicants have also carefully reviewed the cited but not relied upon references and believe that they are deficient in their ability to anticipate or render obvious the present invention as defined by the pending claims.

As stated above, the prior art references do not show the inventive features of the present invention as set forth in claims 1 and 9. Accordingly, it is respectfully submitted that claims 1 and 9 define patentable inventions over the prior art references and, therefore, are allowable.

It is also believed that the remaining claims, which directly or indirectly depend on claims 1 and 9, are allowable for the same reasons indicated with respect to claims 1 and 9 and further because of the additional features recited therein which, when taken alone and/or in combination with the features recited in claims 1 and 9, remove the invention defined therein further from the disclosures made in the cited reference.

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CONCLUSION

Applicants believe that this is a full and complete response to the Office Action. For the reasons discussed above, applicants now respectfully submit that all of the pending claims are in complete condition for allowance. Accordingly, it is respectfully requested that claims 1, 2 and 5-9 be allowed in their present form. If the Examiner feels that any issues that remain require discussion, he is kindly invited to contact applicant's undersigned attorney to resolve the issues.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 22, 2003.

Audrey de Souza